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PETER OPPENHEIM  
CLERK US DIST COURT  
WD OF WI

## ATTACHMENT 1

### COMPLAINT FORM

(for non-prisoner filers without lawyers)

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF \_\_\_\_\_

(Full name of plaintiff(s)) / claimant

Jesse Schworck

Dylan Bangert

Mon of Judah house of rastafari (church)

vs

(Full name of defendant(s))

See Attached

Case Number:

19 CV 312

WMC

(to be supplied by clerk of court)

#### A. PARTIES

1. <sup>claimant</sup> Plaintiff is a citizen of \_\_\_\_\_ and resides at  
(State)

(Address) / Domestic

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant See attached  
(Name)

is (if a person or private corporation) a citizen of \_\_\_\_\_  
(State, if known)

and (if a person) resides at \_\_\_\_\_  
(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for See attached  
(Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

See attached

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This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

C. JURISDICTION

☒

I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

☐

I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$\_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

See attached

E. JURY DEMAND



Jury Demand - I want a jury to hear my case

OR



Court Trial - I want a judge to hear my case

Dated this 18 day of April 2019.

Respectfully Submitted,

Jer Schmidt, Dylan Bengt  
Signature of Plaintiff/claimant

608 515-2866

Plaintiff's Telephone Number

~~issser~~ negusnagastafari@gmail.com  
Plaintiff's Email Address

33 park heights court #1

Madison Wisconsin 53711  
(Mailing Address of Plaintiff) /Domicile

(If more than one plaintiff, use another piece of paper). ↩

**REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FILING FEE**



I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.



I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.



## **Re: lion of judah house of rastafari church require to exercise of liberty, Religion, and Conscience without burden**

### **I. FACTS**

Notice: regards to burden upon I from free exercise of liberty, religion and conscience

i: a man; declare,

(1) I require this court to follow the law, not political policy (color of law, statute); the sole purpose for the existence of government is to secure the property of man; state actors (legal persons) do attempt to use the "color of state law" to interfere with the natural rights (property) of i, a man;

[cf. In Congress, July 4, 1776.

The unanimous Declaration of the thirteen united States of America, When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed... - Declaration of Independence];

[cf. Self-Evident: so clear or obvious that no proof or explanation is needed - Cambridge English Dictionary

Self-Evident: evident without proof or reasoning - Merriam Webster Dictionary

Self-Evident: evident in itself without proof or demonstration; axiomatic - Dictionary.com];

[cf. Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. - United States constitution];

[cf. Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people. - United States constitution];

(2) the legislature has no lawful authority to enact so called laws (color of law, statutes, political policy) that are intended to save me from myself or that interfere with my right to liberty in general; and this court has no lawful authority to impose such "laws"; that is the exact opposite of liberty, and an absolute perversion of logic; the only "power" over liberty is inherently given unto the "people", exclusively, and on an individual basis, that is to say connectively rather than collectively; the only time the government can interfere with a man or woman's right to liberty (the law) is when said enjoyment of liberty does cause some sort of harm, injury, or loss to another man or woman and subsequently said man or woman does file a claim of damages; "the state" is a fiction, created by man, that can never claim any harm, injury, or loss, with regard to liberty, nor can "the state" claim any control over said right; in order for there to be a "case" to begin with there first must be a controversy between a man and a woman, two women, or two men; from what I have been able to gather so far, is that there is no controversy at all;

[cf. What is LIBERTY? 1. Freedom; exemption from extraneous control. The power of the will, in its moral freedom, to follow the dictates of its unrestricted choice, and to direct the external acts of the individual without restraint, coercion, or control from other persons. See *Booth v. Illinois*, 154 U. S. 425, 22 Sup. Ct. 425, 46 L. Ed. 623 ; *Munn v. Illinois*, 94 U. S. 142. 24 L. Ed. 77; *People v. Warden of City Prison*. 157 N. Y. 116, 51 N. E. 1006. 43 L. R. A. 264, 68 Am. St. Rep. 71

TLD Example: The liberty and freedom enjoyed by people does not give them the right to infringe upon the liberty and rights of others. - Blacks Law Online Dictionary];

(3) the law of liberty is a natural law and a natural right (being one and the same) which does not owe its existence to any government, nor to any person(s), nor to any man or woman, regardless of title (this gift comes from God only); my right exists simply because i exist, not because someone, or someone's, wrote it on a piece of paper; said right is the law above all "statutes" that are repugnant to it; [cf. right (n.) Old English *rht* (West Saxon, Kentish), *reht* (Anglian), "that which is morally right, duty, obligation," also "rule of conduct; law of a land;" also "what someone deserves; a just claim, what is due; correctness, truth; a legal entitlement, a privilege," from the root of (adj.1). Meaning "the right" (as opposed to the left) is from mid-13c.; political use from 1825. From early 14c. as "a right action, a good deed." Meaning "a blow with the right fist" is from 1898. The phrase to rights "at once, straightway" is 1660s, from sense "in a proper



manner" (Middle English). - Etymonline];

[cf. What is NATURAL LAW? A rule of conduct arising out of the natural relations of human beings, established by the Creator, and existing prior to any positive precept. The foundation of this law is placed by the best writers in the will of God, discovered by right reason, and aided by divine revelation ; and its principles, when applicable, apply with equal obligation to individuals and to nations. 1 Kent, Comm. 2, note; Id 4, note. See Jus NATURALE. The rule and dictate of right reason, showing the moral deformity or moral necessity there is in any act, according to its suitableness or unsuitableness to a reasonable nature. Tayl. Civil Law, 99. This expression, "natural law," or jus naturale, was largely used in the philosophical speculations of the Roman jurists of the Antonine age, and was intended to denote a system of rules and principles for the guidance of human conduct which, independently of enacted law or of the systems peculiar to any one people, might be discovered by the rational intelligence of man, and would be found to grow out of and conform to his nature, meaning by that word his whole mental, moral, and physical constitution. The point of departure for this conception was the Stoic doctrine of a life ordered "according to nature," which in its turn rested upon the purely supposititious existence, in primitive times, of a "state of nature;" that is, a condition of society in which men universally were governed solely by a rational and consistent obedience to the needs, impulses, and promptings of their true nature, such nature being as yet undefaced by dishonesty, falsehood, or indulgence of the baser passions. See Maine, Anc. Law, 50, et seq. We understand all laws to be either human or divine, according as they have man or God for their author; and divine laws are of two kinds, that is to say: (1) Natural laws; (2) positive or revealed laws. A natural law is defined by Burlamaqui to be "a rule which so necessarily agrees with the nature and state of man that, without observing its maxims, the peace and happiness of society can never be preserved." And he says that these are called "natural NATURALE EST QUIDLIBET 805 - Blacks Law Online Dictionary];

[cf. Natural Law: law "which so necessarily agrees with the nature and state of man that, without observing its maxims, the peace and happiness of society can never be preserved...Knowledge of natural laws may be attained merely by the light of reason, from the facts of their essential agreeableness with the constitution of human nature." Natural law exists regardless of whether it is enacted as positive law, although there may be instances where natural law cannot be judicially enforced. - Barron's Law Dictionary 6th Edition];

[cf. James 1

Therefore, casting aside all uncleanness and abundance of malice, with meekness receive the engrafted word, which is able to save your souls. But be doers of the word, and not hearers only, deceiving yourselves. For if anyone is a hearer of the word, and not a doer, he is like a man looking at his natural face in a mirror: and presently he forgets what kind of man he is. But he who has looked carefully into the perfect law of liberty and has remained in it, not becoming a



forgetful hearer but a doer of the work, shall be blessed in his deed.

[cf. James 2

If, however, you fulfill the royal law, according to scripture, "Thou shalt love thy neighbor as thy self", you do well. But if you show partiality towards persons, you commit sin, being convicted by the law as transgressors...so speak and act as men about to be judged by the law of liberty. For judgment is without mercy to him who has not shown mercy; but mercy triumphs over judgment.

[cf. Luke 11

But one of the lawyers, answering, said to him, "Master, in saying these things, thou insultest us also." But he said, "Woe to you lawyers also! Because you load men with oppressive burdens and you yourselves with one of your fingers do not touch the burdens."

(4) the right to liberty is inherent in the people, not the government, and is a god-given law and right unto the individual, exclusively; no amount of voting can change this fact, neither can any opinion of any man or woman acting as a judge or acting as a legislator; a legislature, with regard to liberty, is absolutely unable to ever add to liberty; in fact, a legislature can only take liberty away, as is very "self-evident";

[cf. Inherent: existing in someone or something as a permanent and inseparable element, quality, or attribute. - Dictionary.com;

Inherent: involved in the constitution or essential character of something: belonging by nature or habit. - Merriam Webster Dictionary];

[cf. "Liberty of conscience; The right of every person to worship Almighty God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend, erect or support any place of worship, or to maintain any ministry, without consent; nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments or modes of worship..." Sec. 18 Wisconsin State Constitution.

[cf. Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people. - United States Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people. - United States constitution, Bill of Rights];

(5) in no way do i interfere with any other man or woman's right to liberty, nor do i cause any man or woman any harm, loss, or injury; in fact, the only man or woman who has been caused any harm, injury, or loss, is i, a man; all other government persons involved with "exhibit A" have only gained from this unlawful trespass; the wrongdoers named in this case do cause me harm and loss and do interfere with



my right to liberty; said trespassers be clearly malicious and unlawful and is reliant solely upon inferior statutes (political policy, color of law) that are clearly repugnant to several levels of law superior to state statutes (natural, constitutional, and federal); this court is bound to the actual law (natural, constitutional), not state political policy (color of law, state statute), especially when the two conflict with one another;

(6) i am required by God Almighty (the "Creator"), as a Ras Tafari I priest, in accordance with countless pages of scripture, to adhere to the "perfect law of liberty" above all else; i am unable to adhere to, and unable to consent to adhere to, any so called law that does interfere with this requirement as any such actions or inactions are repugnant to my conscience, and to the law as well; the law of liberty and my conscience require me to do no harm and to love God and my neighbor; the sole reason the Minnesota constitution has a "conscience clause" is to ensure that a "man" does not have to choose between following the law of god (natural law) or the so called law of "persons" when the natural law comes into conflict with the so called laws of "persons", especially and always when no man or woman is claiming any harm, injury, or loss from said actions or inactions; this is the only place in the entire state constitution that the word "man" is used rather than "person"; for this same reason, in its "preamble", the framers of the Minnesota constitution do make clear distinction between civil liberty (persons) and religious liberty (man); the former is subject to "law" of persons, and the latter is subject to natural law when the laws of person come into conflict with divine and natural law, code, statute, ordinance, etc (especially when no man or woman is claiming any harm, injury or loss);

[cf. Sec. 18. Freedom of conscience; no preference to be given to any religious establishment or mode of worship. The enumeration of rights in this constitution shall not deny or impair others retained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed; nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry, against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state... - Sec. 18 Wisconsin State Constitution];

[cf. James 1

Therefore, casting aside all uncleanness and abundance of malice, with meekness receive the engrafted word, which is able to save your souls. But be doers of the word, and not hearers only, deceiving yourselves. For if anyone is a hearer of the word, and not a doer, he is like a man looking at his natural face in a



mirror: and presently he forgets what kind of man he is. But he who has looked carefully into the perfect law of liberty and has remained in it, not becoming a forgetful hearer but a doer of the work, shall be blessed in his deed.

[cf. James 2

If, however, you fulfill the royal law, according to scripture, "Thou shalt love thy neighbor as thy self, you do well. But if you show partiality towards persons, you commit sin, being convicted by the law as transgressors...so speak and act as men about to be judged by the law of liberty. For judgment is without mercy to him who has not shown mercy; but mercy triumphs over judgment.

[cf. Luke 11

But one of the lawyers, answering, said to him, "Master, in saying these things, thou insultest us also." But he said, "Woe to you lawyers also! Because you load men with oppressive burdens and you yourselves with one of your fingers do not touch the burdens."

(7) there can never be any "mens rea" (guilty mind/evil intent) for any consensual action or inaction in which a man or woman causes no harm, injury, or loss; i am either free at birth, with the right to liberty, or, i am a slave to the legislature's every wish (the will of the masses, and their beliefs, traditions, culture, etc), and utterly without liberty (other than what a legislature allows according to the morals and dictates of the masses); i do not consent to being a slave or a "subject" or obligated in any way to any involuntary service to any person, or any man or woman, or to any entity known as "state"; the law of my God does not allow for me to suffer in such a manner;

How can one who has liberty to act or not act ever have "mens rea" for an action or inaction that that one consents to wherein no one is harmed?;

The legislature, the court, and the prosecutor have no lawful authority, by way of threats especially, to inform a man with the right to liberty (the actual law) when and if he has mens rea, and when and if he does not, if there is no other man or woman claiming some sort of harm, injury, or loss; if the law is liberty (and it most certainly is), then i exclusively own my conscience and actions and inactions (the only place mens rea can come from or be), and never any legislature, nor any court, nor any court's agents; i am only able to have mens rea according to my own conscience (that is, if i do cause a man or a woman some sort of harm, injury, or loss by my actions or inactions); there is no counter-point to this fact that does not come out of a heart or mind or soul other than a despotic one, like unto Pharaoh, who also issued unjust and unlawful decrees;

[cf. What is ACTUS NON FACIT REUM, NISI MENS SIT REA?

An act does not make [the doer of it] guilty, unless the mind be guilty; that is, unless the intention be criminal. 3 Inst. 107. The intent and the act must both concur to constitute the crime. Lord Kenyon, C. J., 7 Term 514; Broom, Max. 300. - Blacks Law Dictionary];



[cf. What is ACTIO NON FACIT REUM, NISI MENS SIT REA?

An action does not make one guilty, unless the intention be bad. Lofft. 37. - Blacks Law Dictionary];

(8) any man or woman that does trespass upon my property (rights, time, energy, creativity, etc) will be held liable for said trespass; i require one ounce of gold per hour (or any portion thereof) from any man or woman who does trespass upon my property (rights, time, energy, creativity, etc);

I say here and will verify in open court that all herein be true, so help me God.

## **II. OUTLINE OF HARM DONE TO lion of judah house of rastafari, jesse schworck, and dylan paul bangert**

The First Amendment of the United States constitution also states, "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof,*". According to John Witte Jr., Professor of Law, Emory University(1);

*"The First Amendment on its face holds complementary guarantees of religious freedom. The free-exercise clause outlaws government proscriptions of religion — actions that unduly burden the conscience, restrict religious expression, discriminate against religion or invade the autonomy of churches and other religious bodies. The establishment clause outlaws government prescriptions of religion — actions that coerce the conscience, mandate forms of religious expression, discriminate in favor of religion or improperly ally the state with churches or other religious bodies. The free exercise and establishment clauses thereby afford reciprocal protections to the principles of liberty of conscience, freedom of religious expression, religious equality and separation of church and state. (See information on state Blaine-like amendments.)."*

In addition to the protections under the First Amendment of the US Constitution, the 1993 **Religious Freedom Restoration Act (RFRA)** states that no federal law shall "substantially burden a person's exercise of religion", unless the government proves the law furthers a "compelling governmental interest" and that the law is implemented in a way that is "least restrictive" to religious practices. The sacramental use of cannabis is how the rastafari worship. The **lion of judah house of rastafari (ljhr)** is a Rastafari church and thus, they worship with cannabis. **ljhr** and its members hold that the cannabis plant is given to man from God. Genesis 1:29 states, "*And God said, 'Behold, I have given you every plant yielding seed that is on the face of all the earth, and every tree with seed in its*



fruit. *You shall have them for food.*" As such, the seizure of **ljhr's** cannabis sacrament by the **Madison Police Department (MPD)**, and by the receipt of a cease and desist letter from the **Assistant City Attorney of Madison (ACAM)**, the church's religious practice has been impeded in the most restrictive way. The City of Madison, Wisconsin has substantially burdened the **ljhr's** religious practice and has violated the **The 1993 Religious Freedom Restoration Act (RFRA) and Section 18 of the Wisconsin State Constitution (5)**. Below we list evidence of the City of Madison's violations and infringements against **ljhr** and its members.

On March 26th, 2019, three police officers from the **MPD** entered the Church unlawfully and took and moved without consent, the Church's ensacrament (cannabis), interfering with and burdening the church members' right to liberty and to worship Almighty God with their/our god given sacrament kaneh-bosm (cannabis). On April 12th, 2019, two unsealed envelopes were dropped off at the **ljhr** church at 555 W Mifflin Street, addressed to both dylan paul bangert (**db**) and jesse schworck (**js**) of 835 Norman Drive, Stoughton WI. *Note: neither **db** or **js** reside at this address.* Inside these open envelopes were cease and desist letters which claimed that both parties were selling cannabis products and were maintaining a "drug" nuisance at the church's location. This is a false claim which is unfounded and without merit. The **ljhr** believes that this quasi claim was created by the city of Madison, Wisconsin through the **Assistant City Attorney of Madison (ACAM)** with malicious intent, as the Church does not sell its sacrament, but rather offers its sacrament free as a gift option to donating members of the church, who have signed an agreement that declares their sincere belief in using cannabis for religious purposes legitimately and without a guilty mind. According to <https://www.investopedia.com/terms/c/cease-and-desist.asp>, a claim that is unfounded and without merit within a cease and desist letter can expose the attorney to a potential counterclaim of allegations of embarrassment by the person who received the cease and desist letter.

Additionally, said trespassers have continued to intimidate and or harass or bother Charanjeet Kaur, the landlord and building owner of the 555 w. Mifflin st. and inso doing have indirectly caused stress, and confusion to the church in as much as the landlord is expressing worry, fear and insecurity regards to our contract and its lawful expectations and commitments. This has reflected poorly on the church and negatively affected the foundation of the relationship of said lessee and lessor

The Wisconsin Supreme Court held that a person challenging the application of a state or local government law under Article I, Section 18 of the Wisconsin Constitution, must first prove that he or she has a sincerely held religious belief



that is burdened by the relevant law. If that belief is proven, the government must then prove that the law is based on a compelling governmental interest and that the interest cannot be served by a less restrictive alternative. Although the **RFRA** only applies to the federal level, there are protections under the Wisconsin State Constitution similar to those provided under the **RFRA**. In addition to the embarrassment caused by the **ACAM**, in the cease and desist letter, the **ACAM** also violated **db** and **js**'s rights to freedom of worship and liberty of conscience as stated in **Section 18 of the Wisconsin Constitution**. The way the City of Madison through the **ACAM** personally addresses the **ljhr**, religion, and prayer in the cease and desist letter is clear evidence of religious discrimination and intolerance as well as endorsement of other religions similarly situated, **the Native American Church (NAC)**, over the **ljhr** by the state. The **ACAM** stated *"the statutory exemption for peyote-use by the Native American Church is a very narrow exemption that applies only to the Native American Church. The Native American Church's use of peyote is isolated to specific ceremonial occasions. It is a precisely circumscribed ritual and the peyote itself is an object of worship."* By the **ACAM** using the **NAC** as supporting evidence for the restriction of the **ljhr**'s use of cannabis for religious worship purposes, (Note: the **ljhr** have never previously used the **NAC** as supporting evidence for their right to use cannabis as their sacrament), the **ACAM** thereby established the **NAC**'s use of peyote for worship as an example of what is considered accepted or preferred worship in the eyes of the law. This establishes a preference given by law to any religious establishment (**the NAC**), or modes of worship (peyote) and violates the Wisconsin constitution. The **ACAM** later states, *"You may have believed that you could form a church and sell marijuana and related products because of the Native American Church exemption."* The **ljhr** disputes this quasi claim and condemns the religious discrimination proclaimed in this letter.

In order to establish the city of Madison's right to infringe on the rights of the church and its members in the cease and desist letter to **db** and **js** of **ljhr** the **ACAM** referred to the court's ruling in **Olsen v. Drug Enforcement Admin 878 F.2d 1458 (U.S. App. D.C. 1989)**, saying that *"the free exercise clause 'embraces two concepts, — freedom to believe and freedom to act. The first is absolute but, in the nature of things, the second cannot be. Conduct remains subject to regulation for the protection of society'."* As stated in an article by the Pew Research Center about the case of **Gonzales v. O Centro Espirita Beneficiente Uniao Do Vegetal (2005)**, (2) *"the government argued that it had a compelling interest in protecting the health of UDV members and in preventing the recreational, non-religious or improper use and distribution of DMT. But the district court found that the government's interests in protecting health and preventing drug abuse did not trump the UDV's religious freedom to*



use *hoasca*." This ruling also applies to *ljhr*, especially given that, according to National Academies of Sciences, Engineering, and Medicine(3), smoking cannabis does not increase the risk for certain cancers, and actually helps those with opioid addiction decrease their use of opioids for pain by 40-60%(4).

### III. ADDITIONAL REASONING SUPPORTING

*ljhr* has been operating lawfully by way of the church purpose statement, and is endorsed by the State of Wisconsin for over one year, having international membership, state, and national members, which exceed 10,000 as a fair estimate.

*ljhr* asserts that the legal reasoning of the city attorneys of Madison, WI is outside the scope, meanings, and interpretations of Madison, WI cannabis laws, as well as outside the vision and scope of the current state Governor, Tony Evers. The city's current laws are antiquated and not on point with relevant state and natural policy. After the November elections in 2018, a vote was conducted where Dane County voters were 76% in favor for legalizing adult cannabis use. Governor Tony Evers also presented his budget in February of 2019, proposing the decriminalization possession of small amounts of cannabis. He also proposes legalizing medical cannabis and allowing CBD oil without doctor certification. Currently in the United States of America, there are only 17 states that have not enacted some form of cannabis legalization.

As *ljhr* is a 'Not for profit' church organization, member donations are the main form of funding for the church. Given the fellowship between the members of the church and the heads of the church, the amount of available cannabis sacrament in the church is directly related to the amount of donations given to the church. As a result, both actions performed by the city, as referenced above, directly impede the progress and growth of the church, trespassing against it's members' first amendment right by restricting the free exercise of the church members within the *ljhr*.

According to the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), 42 U.S.C. §§ 2000cc, et seq(6). "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution",. In addition, "No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of

*religion or religious denomination.*" Since the **ljhr** is a church using the building at 555 W. Mifflin street for religious purposes, the **ljhr** and its members are not restricted by codes and policies that require the church to accommodate or abide by the city zoning laws. The **ljhr** and its members have the right to practice their religion freely. In the case of *Murdock v. Pennsylvania*, 319 US 105 - Supreme Court 1943, the court ruled that, *"A municipal ordinance which, as construed and applied, requires religious colporteurs to pay a license tax as a condition to the pursuit of their activities, is invalid under the Federal Constitution as a denial of freedom of speech, press, and religion. Pp. 319 U.S. 108-110."* This case further supports the **ljhr's** right to not have impediments placed on their land use in a manner that imposes a substantial burden on the religious exercise of **db, js**, and the **ljhr** church and its members.

**ljhr, db, and js** are not the first Rastafari that have been harassed by the government. Minnesota also tried to charge a young Rastafari for possession of drug paraphenelia. In the Court of Appeals of Minnesota IN RE: the Welfare of: J.J.M. A A13-0295(7) case, the court concluded that *"The state's conclusion that a statute only burdens a sincerely held belief if the individual does not have alternative means of expressing that belief is without legal support and inconsistent with the broad language of section 16."* In the Minnesota case, the court held that the statutes were not good enough. Wisconsin courts and persons have already acknowledged **js's** sincerity in the Rastafari faith.

## Conclusion

The **ljhr** requires an emergency injunction against said parties involved; preventing said parties from further directly and or indirectly interfering with, intimidating, and harassing **db, js**, and all of the **ljhr** church members.

Said parties include but are not limited to;

Madison Police Department and the City of Madison, the Office of the City Attorney, Michael P. May, Jason Freedman, Jennifer Zilavy, Paige Valenta, Alex Berkovitz, Dan Nale, Roger A. Allen, Steven C. Brist, Lana J. Mades, Lara M. Mainella, Amber R. McReynolds, Marci A. Paulsen, Adriana M. Peguero, Kevin B. Ramakrishna, Kate M. Smith, Jaime L. Staffaroni, John W. Strange, Doran E. Viste, Brittany A. Wilson;

The **ljhr** requires the restoration of all property (religious sacrament and religious symbols) **posthaste**, which was unlawfully taken without consent.

**[cf. Citations:**



1. <https://www.freedomforuminstitute.org/first-amendment-center/topics/freedom-of-religion/religious-liberty-in-america-overview/>
2. Pew Research Center (<https://www.pewforum.org/2006/02/21/supreme-court-rules-that-religious-group-can-use-illegal-drug-in-their-worship-services/?fbclid=IwAR2Ft0qXHp34vcEDYLD4E9i4CDQVRPk55hyHA9awIDaBFB6mVyNvNalbWkc>),
3. National Academies of Sciences, Engineering, and Medicine. 2017. *The Health Effects of Cannabis and Cannabinoids: The Current State of Evidence and Recommendations for Research*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/24625>.
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i Say here and will verify in court  
that all herein be true; jesse schwartz

*Jesse Schwartz*

April-18-2019

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dylan bangert

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